

EXHIBIT D

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DONNA CURLING, ET AL.,)
Plaintiffs,) CIVIL ACTION FILE
vs.) NO. 1:17-CV-2989-AT
BRAD RAFFENSPERGER, ET AL.,)
Defendants.)
_____)

VIDEOTAPED DEPOSITION OF
MICHAEL IAN SHAMOS, PH.D., J.D.

July 19, 2019

9:16 a.m.

Ross Alloy Belinfante Littlefield, LLC
500 14th Street N.W.
Atlanta, Georgia

Robin K. Ferrill, CCR-B-1936, RPR

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1 defendants.

2 THE VIDEOGRAPHER: Thank you, Counsel.

3 Will the court reporter please swear in the
4 witness.

5 MICHAEL IAN SHAMOS, Ph.D., J.D.,

6 called as a witness, having been duly sworn
7 by a Notary Public, was examined and testified as
8 follows:

9 MR. CROSS: We probably should just note
10 for the record that Ms. Marks is here, too; I
11 don't think there is an appearance here. And
12 Dr. Halderman, as well.

13 MR. RUSSO: And, David, before we start, we
14 want to make sure our objection to the
15 deposition notice is on the record.

16 The deposition was noticed as a de bene
17 esse deposition, but it indicates that questions
18 would be regarding all the claims and defenses
19 in the case. So to the extent that the
20 deposition is outside the scope of Dr. Shamos'
21 declaration, which is his direct testimony for
22 purposes of this, we do object to that.

23 MR. CROSS: So you are saying I couldn't
24 cross-examine him live at a hearing on any issue
25 relevant to the claims or defenses in the case?

1 State since December 23rd of 2017. That's a fact,
2 right?

3 A. Yes.

4 Q. And in that time, do I understand
5 correctly, no one on behalf of the State asked you to
6 do anything other than whatever you did for the first
7 bill back early on, and then until June of this year;
8 is that right?

9 A. That's right. I thought the case had gone
10 away.

11 Q. Until June of this year?

12 A. I was surprised as anybody, in June, when I
13 get an e-mail from a different law firm saying,
14 "You're the expert in this case," and I said, "Huh?
15 I thought it was over."

16 Q. You say June, you mean June of 2019?

17 A. Yes.

18 Q. Do you know when it was in June that they
19 reached out to you, roughly?

20 A. It would have been shortly before the
21 engagement letter, which I produced. I have it -- I
22 have it here.

23 Q. We have the letter.

24 A. I can answer.

25 Q. That's okay. We have the letter.

C E R T I F I C A T E

STATE OF GEORGIA)

) ss.:

FULTON COUNTY)

I, Robin Ferrill, Certified Court Reporter
within the State of Georgia, do hereby certify:

That MICHAEL IAN SHAMOS, Ph.D., J.D., the
witness whose deposition is hereinbefore set forth,
was duly sworn by me and that such deposition is a
true record of the testimony given by such witness.

I further certify that I am not related to
any of the parties to this action by blood or
marriage; and that I am in no way interested in the
outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set
my hand this 20th day of July, 2019.



ROBIN K. FERRILL, RPR